

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

EDUARDO YATCO, M.D.,

Plaintiff,

v.

NANTICOKE HEALTH SERVICES, INC.

Defendant

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C.A. No.: 08-342 SLR

NOTICE OF DISMISSAL

To: Clerk of the Court
US District Court for the District of Delaware
844 North King Street
Room 4209, Lockbox 18
Wilmington, DE 19801

Pursuant to District Court Rule 41(a)(1)(i) Plaintiff hereby dismisses, without prejudice, its complaint against Nanticoke Health Services, Inc., in the above captioned matter. No service by an adverse party of an answer or motion for summary judgment has been served.

BIGGS AND BATTAGLIA

BY: /s/ Robert D. Goldberg
Robert D. Goldberg (Bar I.D.631)
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Attorney for Plaintiff

Dated: August 28, 2008